

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

MATTHEW MCKEON,

Plaintiff,

v.

THE ROMAN CATHOLIC DIOCESE OF ROCKVILLE CENTRE, NEW YORK; THE NEW YORK PROVINCE OF THE SOCIETY OF JESUS; U.S.A. NORTHEAST PROVINCE OF THE JESUIT FATHERS AND BROTHERS, a/k/a U.S.A. NORTHEAST PROVINCE; THE USA NORTHEAST PROVINCE OF THE SOCIETY OF JESUS, INC.; and ST. IGNATIUS RETREAT HOUSE, INC.,

Defendants.

Index No.

SUMMONS

Date Index No. Purchased:
Oct. 8, 2019

To the above named Defendant(s)

THE ROMAN CATHOLIC DIOCESE OF ROCKVILLE CENTRE, NEW YORK
50 North Park Avenue, Rockville Centre, Nassau County, New York

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

The basis of venue is one or more Defendant resides in New York County, which is located in New York County, New York.

Dated: New York, New York
October 8, 2019

SIMMONS HANLY CONROY LLC



Paul J. Hanly, Jr.
Attorneys for Plaintiff
112 Madison Avenue, 7th Floor
New York, NY 10016
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To the above named Defendant(s)

THE NEW YORK PROVINCE OF THE SOCIETY OF JESUS
39 East 83rd Street, New York County, New York

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

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To the above named Defendant(s)

U.S.A. NORTHEAST PROVINCE OF THE JESUIT FATHERS AND BROTHERS, a/k/a U.S.A.
NORTHEAST PROVINCE
39 East 83rd Street, New York County, New York

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

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To the above named Defendant(s)

THE USA NORTHEAST PROVINCE OF THE SOCIETY OF JESUS, INC.
39 East 83rd Street, New York County, New York

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To the above named Defendant(s)

ST. IGNATIUS RETREAT HOUSE, INC.
251 Searingtown Road, Nassau County, New York

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

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COMPLAINT

JURY TRIAL DEMANDED

Plaintiff Matthew McKeon, by his attorneys Simmons Hanly Conroy LLC and the Law Offices of Mitchell Garabedian, brings this action against The Roman Catholic Diocese of Rockville Centre, New York; The New York Province of the Society of Jesus; U.S.A. Northeast Province of the Jesuit Fathers and Brothers, also known as U.S.A. Northeast Province; The USA Northeast Province of the Society of Jesus, Inc.; and St. Ignatius Retreat House, Inc. and alleges, on personal knowledge as to himself and on information and belief as to all other matters, as follows:

JURISDICTION AND VENUE

1. This Court has personal jurisdiction over the Defendants pursuant to CPLR 301 and 302, in that the Defendants reside in New York.

2. This Court has jurisdiction over this action because the amount of damages Plaintiff seeks exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

3. Venue for this action is proper in the County of New York pursuant to CPLR 503 in that one or more of the Defendants reside in this County.

PARTIES

4. Plaintiff Matthew McKeon ("Plaintiff") is an individual residing in Haskell, Passaic County, New Jersey.

5. Defendant The Roman Catholic Diocese of Rockville Centre, New York ("Diocese of Rockville Centre") is a religious corporation organized pursuant to the Religious Corporations Law, with its principal office at 50 North Park Avenue in Rockville Centre, Nassau County, New York. The Diocese of Rockville Centre is a Roman Catholic diocese. At all relevant times, the Diocese of Rockville Centre created, oversaw, managed, supervised, controlled, directed and/or operated various institutions in the Diocese of Rockville Centre, including, at all relevant times, St. Ignatius Retreat House in Nassau County, New York.

6. Defendant The New York Province of the Society of Jesus was at all relevant times a province of the religious order of the Roman Catholic Church known as the Jesuit Fathers and Brothers, also known as Societas Jesu, also known as the Society of Jesus. Defendant The New York Province of the Society of Jesus ("New York Jesuit Society" hereafter) is a not-for-profit corporation with its principal office at 39 East 83rd Street, New York County, New York. At all relevant times, New York Jesuit Society created, oversaw, managed, supervised, controlled, directed and/or operated various institutions, including St. Ignatius Retreat House in Nassau County, New York.

7. Defendant U.S.A. Northeast Province of the Jesuit Fathers and Brothers, also known as U.S.A. Northeast Province ("Northeast Jesuit Province") is a province of the religious order of the Roman Catholic Church known as the Jesuit Fathers and Brothers, also known as Societas Jesu, also known as the Society of Jesus, with its principal office at 39 East 83rd Street, New York County, New York. As the result of a merger, Defendant Northeast Jesuit Province is a successor of New York Jesuit Society.

8. Defendant The USA Northeast Province of the Society of Jesus, Inc. ("Northeast Province, Inc.") is a not-for-profit corporation with its principal office at 39

East 83rd Street, New York County, New York. As the result of a corporate merger, Defendant Northeast Province, Inc. is a successor of New York Jesuit Society.

9. Defendant St. Ignatius Retreat House, Inc. ("St. Ignatius") is a not-for-profit corporation with its principal office at 251 Searingtown Road, Nassau County, New York. At all relevant times, New York Jesuit Society created, oversaw, supervised, managed, controlled, directed and operated St. Ignatius.

FACTS COMMON TO ALL CLAIMS

10. In or about 1974, Father John F. Garvey, S.J. ("Father Garvey") was ordained a Roman Catholic priest. At all times relevant to the allegations set forth herein, Father Garvey was assigned by Defendants Diocese of Rockville Centre, and/or New York Jesuit Society to serve at St. Ignatius. Father Garvey passed away in approximately 2011.

11. Plaintiff was born in 1971. Plaintiff's family were parishioners of St. Aidan's Church in Williston Park, New York, a parish of the Diocese of Rockville Centre. At relevant times, Plaintiff's family sometimes attended Mass at St. Ignatius.

12. Father Garvey gained the trust and confidence of Plaintiff's family, who would regularly invite priests they knew to their home for dinner. Father Garvey used this trust to gain access to Plaintiff.

13. In or about 1980 or 1981, when Plaintiff was approximately between eight and ten years of age, Father Garvey sexually assaulted, sexually abused, and/or had sexual contact with the Plaintiff in violation of the laws of the State of New York. Some of this sexual abuse occurred on the property of St. Ignatius.

14. Father Garvey used his position at St. Ignatius, which granted him access to minors, to gain access to the minor Plaintiff and to sexually assault, sexually abuse, and/or have sexual contact with the Plaintiff.

Defendants' Responsibility for the Abuse Committed by Father Garvey

15. At all times material hereto, Father Garvey was under the management,

supervision, employ, direction and/or control of Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius.

16. Through his positions at, within, or for Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius, Father Garvey was put in contact with Plaintiff.

17. Father Garvey used his position at, within, or for Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius and the implicit representations made by them about his character that accompanied that position, to gain the trust and confidence of Plaintiff, and to create opportunities to be alone with, and sexually abuse, sexually assault, and/or have sexual contact with Plaintiff.

18. Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius had the duty to reasonably manage, supervise, control and/or direct priests who served at St. Ignatius, and specifically, had a duty not to aid pedophiles such as Father Garvey by assigning, maintaining, and/or appointing them to positions with access to minors.

19. Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius knew and/or reasonably should have known, and/or knowingly condoned, and/or covered up, the inappropriate and unlawful sexual activities of Father Garvey, who sexually abused, sexually assaulted, and/or had sexual contact with Plaintiff.

20. Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius had a duty to the Plaintiff to properly supervise their agents to ensure that said agents did not use their positions with Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius as a tool for grooming and assaulting vulnerable children. Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius knew or should have known that Father Garvey used his position at St. Ignatius to sexually abuse minor children, including the Plaintiff.

Consequences of the Abuse

21. Plaintiff suffered personal physical and psychological injuries and damages as a result of Father Garvey's actions, as well as other damages related thereto, as a result of the childhood sexual abuse Plaintiff sustained.

22. As a direct result of the conduct described herein of Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius, Plaintiff suffered and will continue to suffer great pain of mind and body, severe and permanent emotional distress, and physical manifestations of emotional distress. Plaintiff was prevented from obtaining the full enjoyment of life; has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling; and has incurred and will continue to incur loss of income and/or loss of earning capacity. As a victim of Father Garvey's sexual abuse, Plaintiff is unable at this time to fully describe all of the details of that abuse and the extent of the harm he suffered as a result.

CAUSES OF ACTION

FIRST CAUSE OF ACTION

Negligent Hiring/Retention/Supervision/Direction

23. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 22 as if fully set forth herein.

24. Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius at all relevant times indicated that minors would be physically safe while in the presence of priests assigned to their institutions. Defendants entered into an express and/or implied duty to provide that when Plaintiff was a minor left in the presence of a priest assigned to, hired by, retained by, directed by, and/or under the supervision of Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius, Plaintiff would be kept reasonably safe and that that priest would not sexually abuse Plaintiff.

25. Defendants Diocese of Rockville Centre, New York Jesuit Society, and St.

Ignatius owed a duty of care to all minors, including Plaintiff, who were likely to come into contact with Father Garvey or under the influence or supervision of Father Garvey, to ensure that Father Garvey did not use his assigned position to injure minors by sexual assault, sexual abuse, and/or sexual contact in violation of the laws of the State of New York.

26. Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius knew or should have known of Father Garvey's propensity for the conduct which caused Plaintiff's injuries prior to, or at the time of, the injuries' occurrence.

27. The sexual abuse of children by adults, including priests, is a foreseeable result of negligence.

28. Father Garvey sexually assaulted, sexually abused, and/or had sexual contact with Plaintiff while he was a priest and agent of Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius.

29. Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius negligently hired, retained, directed, and supervised Father Garvey, as they knew or should have known that Father Garvey posed a threat of sexual abuse to minors.

30. Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius were negligent in failing to properly supervise Father Garvey.

31. At all times material hereto, Defendants Diocese of Rockville Centre's, New York Jesuit Society's, and St. Ignatius' actions were willful, wanton, malicious, negligent, reckless, and/or outrageous in their disregard for the rights and safety of Plaintiff.

32. As a direct and proximate result, Plaintiff has suffered and will continue to suffer the injuries described herein.

33. Liabilities of New York Jesuit Society were transferred to, or assumed by, Northeast Jesuit Province and Northeast Province, Inc. As a result, Northeast Jesuit Province and Northeast Province, Inc. are liable to the Plaintiff for the damages caused

by New York Jesuit Society stated in this cause of action.

34. By reason of the foregoing, Defendants Diocese of Rockville Centre, New York Jesuit Society, Northeast Jesuit Province, Northeast Province, Inc., and St. Ignatius are liable to the Plaintiff, jointly, severally and/or in the alternative liable to the Plaintiff for compensatory damages and for punitive damages, together with interest and costs.

SECOND CAUSE OF ACTION

Negligence/Gross Negligence

35. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 22 as if fully set forth herein.

36. At all times material hereto, with regard to the allegations contained herein, Father Garvey was under the supervision, employ, direction and/or control of Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius.

37. Defendants owed Plaintiff, at the relevant times a minor, a duty to protect Plaintiff from Father Garvey's sexual deviancy and the consequential damages, both prior to and/or subsequent to Father Garvey's misconduct.

38. Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius knew, or were negligent in not knowing, that Father Garvey posed a threat of sexual abuse to minors.

39. The acts of Father Garvey described hereinabove were undertaken, and/or enabled by, and/or during the course, and/or within the scope of his respective employment, appointment, assignment, and/or agency with Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius.

40. Defendants Diocese of Rockville Centre's, New York Jesuit Society's, and St. Ignatius' willful, wanton, grossly negligent and/or negligent act(s) of commission and/or omission, resulted directly and/or proximately in the damages set forth herein at length.

41. Defendants Diocese of Rockville Centre, New York Jesuit Society, and St.

Ignatius:

- a. gave improper or ambiguous orders or failed to make proper regulations, and/or employed improper persons or instrumentalities in work involving risk of harm to others;
- b. failed adequately to supervise the activities of Father Garvey;
- c. permitted, and/or intentionally failed and/or neglected to prevent, negligent and/or grossly negligent conduct and/or allowed other tortious conduct by persons, whether or not their servants and/or agents and/or employees, upon premises or with instrumentalities under their control; and
- d. allowed the acts of omission and/or commission and/or any or all of the allegations set forth in this Complaint to occur.

42. At all times material hereto, Defendants Diocese of Rockville Centre's, New York Jesuit Society's, and St. Ignatius' actions were willful, wanton, malicious, reckless, negligent, and outrageous in their disregard for the rights and safety of Plaintiff, which amounted to conduct equivalent to criminality.

43. As a direct and/or indirect result of said conduct, Plaintiff has suffered the injuries and damages described herein.

44. Liabilities of New York Jesuit Society were transferred to, or assumed by, Northeast Jesuit Province and Northeast Province, Inc. As a result, Northeast Jesuit Province and Northeast Province, Inc. are liable to the Plaintiff for the damages caused by New York Jesuit Society stated in this cause of action.

45. By reason of the foregoing, Defendants Diocese of Rockville Centre, New York Jesuit Society, Northeast Jesuit Province, Northeast Province, Inc., and St. Ignatius are liable to the Plaintiff, jointly, severally and/or in the alternative liable to the Plaintiff for compensatory damages and for punitive damages, together with interest and costs.

THIRD CAUSE OF ACTION
Breach of Non-Delegable Duty

46. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 22 as if fully set forth herein.

47. Plaintiff, when he was a minor, was placed in the care and supervision of Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius for the purposes of, *inter alia*, providing Plaintiff with a safe environment in which to participate in educational, youth, and recreational activities. There existed a non-delegable duty of trust between Plaintiff and the Defendants.

48. Plaintiff was a vulnerable minor when placed within the care of Father Garvey, an agent of Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius.

49. At all times material hereto, Father Garvey was under the supervision, employ, direction and/or control of the Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius.

50. As a consequence, Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius were in the best position to prevent Father Garvey's sexual abuse of Plaintiff, to learn of that sexual abuse of Plaintiff and stop it, and to take prompt steps to provide that Plaintiff received timely therapy to address the harm Plaintiff suffered resulting from Father Garvey's sexual abuse of Plaintiff. Such prompt steps would have mitigated the extent of lifetime suffering Plaintiff has had to endure.

51. By virtue of the fact that Plaintiff was sexually abused as a minor entrusted to the care of Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius, these Defendants breached their non-delegable duty to Plaintiff.

52. As a direct and/or indirect result of said conduct, Plaintiff has suffered the injuries and damages described herein.

53. Liabilities of New York Jesuit Society were transferred to, or assumed by,

Northeast Jesuit Province and Northeast Province, Inc. As a result, Northeast Jesuit Province and Northeast Province, Inc. are liable to the Plaintiff for the damages caused by New York Jesuit Society stated in this cause of action.

54. By reason of the foregoing, Defendants Diocese of Rockville Centre, New York Jesuit Society, Northeast Jesuit Province, Northeast Province, Inc., and St. Ignatius are liable to the Plaintiff, jointly, severally and/or in the alternative liable to the Plaintiff for compensatory damages and for punitive damages, together with interest and costs.

FOURTH CAUSE OF ACTION

Breach of Fiduciary Duty

55. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 22 as if fully set forth herein.

56. There exists a fiduciary relationship of trust, confidence, and reliance between Plaintiff and Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius. This relationship is based on the entrustment of the Plaintiff while he was a minor child to the care and supervision of Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius. This entrustment of the Plaintiff to the care and supervision of Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius, while the Plaintiff was a minor child, required Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius to assume a fiduciary relationship and to act in the best interests of the Plaintiff, as well as to protect Plaintiff due to his infancy and vulnerability.

57. Pursuant to their fiduciary relationship, Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius were entrusted with the well-being, care, and safety of Plaintiff.

58. Pursuant to their fiduciary relationship, Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius assumed a duty to act in the best interests of Plaintiff.

59. Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius breached their fiduciary duty to Plaintiff.

60. At all times material hereto, Defendants Diocese of Rockville Centre's, New York Jesuit Society's, and St. Ignatius' actions and/or inactions were willful, wanton, malicious, negligent, reckless, and outrageous in their disregard for the rights and safety of Plaintiff.

61. As a direct result of said conduct, Plaintiff has suffered the injuries and damages described herein.

62. Liabilities of New York Jesuit Society were transferred to, or assumed by, Northeast Jesuit Province and Northeast Province, Inc. As a result, Northeast Jesuit Province and Northeast Province, Inc. are liable to the Plaintiff for the damages caused by New York Jesuit Society stated in this cause of action.

63. By reason of the foregoing, Defendants Diocese of Rockville Centre, New York Jesuit Society, Northeast Jesuit Province, Northeast Province, Inc., and St. Ignatius are liable to the Plaintiff, jointly, severally and/or in the alternative liable to the Plaintiff for compensatory damages and for punitive damages, together with interest and costs.

FIFTH CAUSE OF ACTION

Negligent Infliction of Emotional Distress

64. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 22 as if fully set forth herein.

65. As described above, the actions of Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius, as well as their predecessors and/or successors, agents, servants, and/or employees, were conducted in a negligent and/or grossly negligent manner.

66. Defendants Diocese of Rockville Centre's, New York Jesuit Society's, and St. Ignatius' actions endangered Plaintiff's safety and caused him to fear for his own safety.

67. As a direct and proximate result of Defendants Diocese of Rockville Centre's, New York Jesuit Society's, and St. Ignatius' actions, which included but were not limited to negligent and/or grossly negligent conduct, Plaintiff suffered the severe injuries and damages described herein, including but not limited to, mental and emotional distress.

68. Liabilities of New York Jesuit Society were transferred to, or assumed by, Northeast Jesuit Province and Northeast Province, Inc. As a result, Northeast Jesuit Province and Northeast Province, Inc. are liable to the Plaintiff for the damages caused by New York Jesuit Society stated in this cause of action.

69. By reason of the foregoing, Defendants Diocese of Rockville Centre, New York Jesuit Society, Northeast Jesuit Province, Northeast Province, Inc., and St. Ignatius are liable to the Plaintiff, jointly, severally and/or in the alternative liable to the Plaintiff for compensatory damages and for punitive damages, together with interest and costs.

SIXTH CAUSE OF ACTION

Breach of Duty *in Loco Parentis*

70. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 22 as if fully set forth herein.

71. While he was a minor, Plaintiff was entrusted by his parents to the control of Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius for the purposes of *inter alia*, providing Plaintiff with appropriate guidance and an opportunity to enjoy community and youth activities under responsible adult supervision. These Defendants owe—and owed—a duty to children entrusted to them to act *in loco parentis* and to prevent foreseeable injuries.

72. Defendants Diocese of Rockville Centre, New York Jesuit Society, and St. Ignatius breached their duty to act *in loco parentis*.

73. At all times material hereto, Defendants Diocese of Rockville Centre's, New York Jesuit Society's, and St. Ignatius' actions were willful, wanton, malicious,

reckless, negligent, grossly negligent and/or outrageous in their disregard for the rights and safety of Plaintiff.

74. As a direct result of Defendants Diocese of Rockville Centre's, New York Jesuit Society's, and St. Ignatius' conduct, Plaintiff has suffered the injuries and damages described herein.

75. Liabilities of New York Jesuit Society were transferred to, or assumed by, Northeast Jesuit Province and Northeast Province, Inc. As a result, Northeast Jesuit Province and Northeast Province, Inc. are liable to the Plaintiff for the damages caused by New York Jesuit Society stated in this cause of action.

76. By reason of the foregoing, Defendants Diocese of Rockville Centre, New York Jesuit Society, Northeast Jesuit Province, Northeast Province, Inc., and St. Ignatius are liable to the Plaintiff, jointly, severally and/or in the alternative liable to the Plaintiff for compensatory damages and for punitive damages, together with interest and costs.

WHEREFORE Plaintiff demands judgment against the Defendants on each cause of action as follows:

- A. Awarding compensatory damages in an amount to be proved at trial, but in any event in an amount that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction;
- B. Awarding punitive damages to the extent permitted by law;
- C. Awarding prejudgment interest to the extent permitted by law;
- D. Awarding costs and fees of this action, including attorneys' fees, to the extent permitted by law;
- E. Awarding such other and further relief as to this Court may seem just and proper.

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

Dated: October 8, 2019
New York, New York

Respectfully Submitted,

/s/ Paul J. Hanly, Jr.
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